



DOUGLAS A. DUCEY  
GOVERNOR

STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Dear Secretary Reagan:

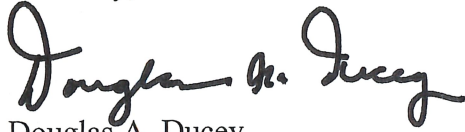
I am transmitting to you the following bills from the Fifty-third Legislature, 2<sup>nd</sup> Regular Session, which I signed on May 16, 2018:

HB 2088 pupils; concussions; parental notification (Carter)  
HB 2197 health professionals; workforce data (Carter)  
HB 2209 internet protocol; corporation commission (Grantham)  
HB 2212 firearm possession; peace officers; definition (Thorpe)  
HB 2235 dental therapy; regulation; licensure (Thorpe)  
HB 2253 schools; exchange teachers; employment duration (Carter)  
HB 2307 scrap vehicles; sales (Campbell)  
HB 2310 underground storage tanks; reimbursement claims (Bowers)  
HB 2324 community health workers; voluntary certification (Carter)  
HB 2356 juvenile court; jurisdiction; age (Bowers)  
HB 2383 HOV lanes; emergency vehicles (Clodfelter)  
HB 2384 unlawful flight; vehicle impoundment (Clodfelter)  
HB 2414 state employee health plan; incentives (Kern)  
HB 2416 appropriation; study; prime contracting classification (Cobb)  
HB 2422 personal delivery devices (Townsend)  
HB 2455 commercial vehicles definition; driver licenses (Cook)  
HB 2510 auto dealers; task force; fund (John)

HB 2520 schools; reading requirement (Coleman)  
HB 2522 traffic violations; penalties (Syms)  
HB 2526 career technical education districts (Clodfelter)  
HB 2527 ticket surcharge; public safety equipment (Clodfelter)  
HB 2529 assisted living; referrals; disclosure (Campbell)  
HB 2532 occupational regulation; municipalities; counties; hearings (Payne)  
HB 2534 teachers; certification requirements (Carter)  
HB 2538 U.S. House vacancy; special election (Coleman)  
HB 2564 court fees; EORP; state contribution (Livingston)  
HB 2589 department of gaming omnibus (Cook)  
HB 2596 property taxes; procedures; abatement (Toma)  
HB 2648 ballot measures; paid circulator definition (Leach)  
HB 2649 public meetings; recordings; posting; definition (Grantham)  
HB 2650 commercial license; defensive driving school (Toma)  
HB 2651 landlord tenant; security deposits (Toma)  
HB 2652 electric bicycles; definition; use (Allen, J.)  
HB 2653 expenditure limitation; waiver of penalties (Cobb)  
HB 2654 illegal substances education; partnership (Thorpe)  
HB 2655 real estate licenses; online classes (Mosley)  
HB 2656 electronic wills and trusts (Leach)  
HB 2657 interscholastic activities; health dangers; information (Carter)  
SB 1039 appropriation; Arizona water protection fund (Griffin)  
SB 1140 certificates of authority; video service (Griffin)  
SB 1167 merit council; law enforcement qualifications (Griffin)  
SB 1181 corporation commission; railway safety inspectors (Griffin)  
SB 1245 appropriation; SNAP; benefit match; produce (Brophy McGee)  
SB 1254 school district consolidation (Allen, S.)  
SB 1271 construction liability; apportionment; study (Fann)  
SB 1273 administrative proceedings; rules; contested cases (Petersen)  
SB 1293 department of revenue; administrative efficiency (Farnsworth, D.)  
SB 1296 government communications; emergency response interpreters (Bowie)  
SB 1398 unemployment; return-to-work program; suitable work (Smith)  
SB 1409 TPT; prime contracting; alteration; replacement (Fann)  
SB 1476 county sheriff; reentry planning; appropriation (Gray)  
SB 1478 employer contributions; EORP (Fann)  
SB 1496 prisoners; drug sentences; out-of-custody treatment (Smith)  
SB 1498 AZPOST; membership; training; AMBER alert (Smith)

SB 1504 developmental disability rates; appropriation (Smith)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial 'D'.

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary  
Chief Clerk of the House of Representatives  
Arizona News Service

Senate Engrossed House Bill

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 294**

# **HOUSE BILL 2209**

AN ACT

AMENDING TITLE 40, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 40-212; RELATING TO REGULATION BY CORPORATION COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 40, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 40-212, to read:

4 40-212. Internet protocol services; definitions

5 A. A PERSON THAT OFFERS, FURNISHES OR PROVIDES FOR PROFIT OR  
6 OTHERWISE INTERNET PROTOCOL-ENABLED SERVICE OR VOICE OVER INTERNET  
7 PROTOCOL SERVICE IS NOT PROVIDING MESSAGE TRANSMISSION SERVICE TO THE  
8 PUBLIC AND IS NOT A PUBLIC SERVICE CORPORATION. THE COMMISSION MAY NOT  
9 REGULATE, DIRECTLY OR INDIRECTLY, THE ENTRY, EXIT, RATES, TERMS,  
10 CONDITIONS OR SERVICE QUALITY STANDARDS OF INTERNET PROTOCOL-ENABLED  
11 SERVICE OR VOICE OVER INTERNET PROTOCOL SERVICE.

12 B. THIS SECTION DOES NOT AFFECT OR MODIFY:

13 1. THE COMMISSION'S AUTHORITY TO ENFORCE THE REQUIREMENTS ON VOICE  
14 OVER INTERNET PROTOCOL SERVICE THAT ARE PROVIDED FOR OR ALLOWED BY FEDERAL  
15 LAW, INCLUDING THE COLLECTION OF NONDISCRIMINATORY 911 OR E911 FEES,  
16 TELECOMMUNICATIONS RELAY SERVICE FEES AND UNIVERSAL SERVICE FEES.

17 2. A PERSON'S OBLIGATIONS UNDER OR ANY RIGHT GRANTED TO A PERSON BY  
18 47 UNITED STATES CODE SECTIONS 251 AND 252.

19 3. THE COMMISSION'S JURISDICTION OVER INTRASTATE SWITCHED ACCESS  
20 RATES, INCLUDING THE IMPLEMENTATION OF FEDERAL LAW WITH RESPECT TO  
21 INTERCARRIER COMPENSATION.

22 C. FOR THE PURPOSES OF THIS SECTION:

23 1. "INTERNET PROTOCOL-ENABLED SERVICE" MEANS A SERVICE,  
24 FUNCTIONALITY OR APPLICATION THAT USES INTERNET PROTOCOL OR A SUCCESSOR  
25 PROTOCOL AND ENABLES AN END USER TO SEND OR RECEIVE A VOICE, DATA OR VIDEO  
26 COMMUNICATION IN INTERNET PROTOCOL FORMAT OR A SUCCESSOR FORMAT.

27 2. "VOICE OVER INTERNET PROTOCOL SERVICE" MEANS A SERVICE THAT  
28 MEETS ALL OF THE FOLLOWING:

29 (a) ENABLES REAL-TIME, TWO-WAY VOICE COMMUNICATION THAT ORIGINATES  
30 FROM OR TERMINATES AT THE USER'S LOCATION IN INTERNET PROTOCOL OR A  
31 SUCCESSOR PROTOCOL.

32 (b) USES A BROADBAND CONNECTION FROM THE USER'S LOCATION.

**APPROVED BY THE GOVERNOR MAY 16, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018**

Passed the House February 8, 20 18

by the following vote: 47 Ayes,

11 Nays, 1 Not Voting

[Signature]  
Speaker of the House

☐ Pro Tempore

[Signature]  
Chief Clerk of the House

Passed the Senate April 16, 20 18

by the following vote: 25 Ayes,

4 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

           day of           , 20           

at            o'clock            M.

            
Secretary to the Governor

Approved this            day of

at            o'clock            M.

            
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this            day of           , 20           

at            o'clock            M.

            
Secretary of State


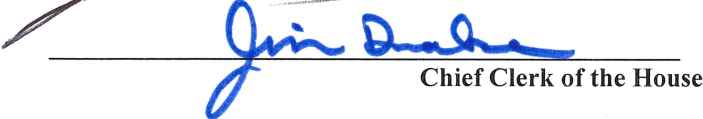
H.B. 2209

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 30, 20 18

by the following vote: 42 Ayes,

14 Nays, 4 Not Voting

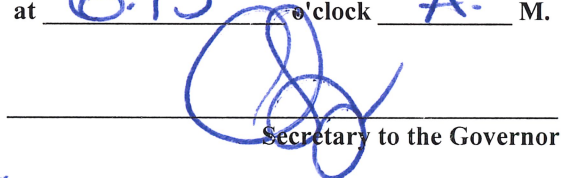
  
Speaker of the House  
  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

18 day of May, 20 18,

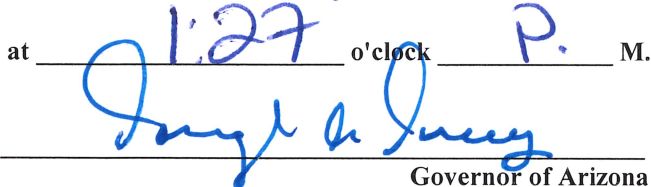
at 8:13 o'clock A. M.

  
Secretary to the Governor

Approved this 16<sup>th</sup> day of

May, 20 18,

at 1:27 o'clock P. M.

  
Governor of Arizona

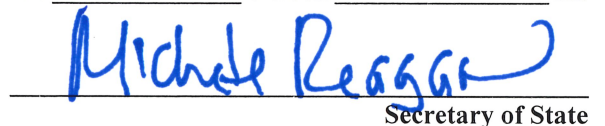
H.B. 2209

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of May, 20 18,

at 4:28 o'clock P. M.

  
Secretary of State